

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ELAINE L. CHAO, Secretary
of Labor, United States Department
of Labor,
Plaintiff

CIVIL ACTION NO. 04-11310 NG

v.

LE INC, LE & PHAM INC.,
LE CAFE INC., LE & T INC.,
PHO PASTEUR INC., and
DUYEN LE,
Defendants

**THE DEFENDANTS' DISCLOSURE STATEMENT
PURSUANT TO F.R.C.P. 26(a)(1)**

Pursuant to Fed. R. Civ. P. 26(a)(1) and Local Rule 26.2(A), the defendants make the following initial disclosures:

A) The defendant, Duyen Le, his accountant, Kenneth DiSimone, agents for the payroll service, ADP, the present and past employees of the defendants listed in Exhibits A-E to the plaintiff's **Complaint**, and Nanci Siciliano, Wage & Hour Investigator for the Department of Labor are likely to have information relevant to the disputed facts alleged in this matter. The address of the defendant, Duyen Le, is 7 Bleuberry Hill Road, Weston, Massachusetts and his telephone number is 781-891-5290.

B) The relevant documents with respect to the defendants, identified pursuant to Local Rule 26.2(A) and F.R.C.P. 26(a), are as follows:

1. The payroll records for all employees as maintained by the accountant and compiled by ADP.
2. Any and all time-sheets or other supporting documentation compiled by the defendants or submitted by the employees of defendants which evidence the hours which they worked, and which identify the employees, their job descriptions, and their hourly rates.
3. Any other documents maintained by the defendants which evidence the wages paid to the employees.
4. All correspondence between the defendants and the plaintiff's agents.

The defendants reserve the right to supplement this disclosure document prior to trial with additional documents as they may be discovered or created.

Respectfully submitted,

LE INC., ET AL

By their attorneys,

/s/ Paul L. Nevins

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Certificate of Service

The undersigned hereby certifies that, on November 24, 2004, served a true copy of the foregoing upon all parties by causing it to be sent electronically and via first class mail, postage prepaid, to:

John S. Casler, Esquire
Deputy Regional Solicitor
U.S. Department of Labor
Office of The Solicitor
JFK Federal Building, Room E-375
Boston, MA 02203

/s/ Paul L. Nevins

Paul L. Nevins